



General Assembly

February Session, 2000

Raised Bill No. 416

LCO No. 1102

Referred to Committee on Program Review and Investigations

Introduced by:
(PRI)

An Act Concerning The Sheriff System.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 6-29 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 No judge, except a judge of probate, and no justice of the peace shall
4 [hold the office of sheriff or deputy sheriff] be licensed as a process
5 server.

6 Sec. 2. Section 6-30a of the general statutes is repealed and the
7 following is substituted in lieu thereof:

8 Each [sheriff and deputy sheriff] licensed process server, on or after
9 October 1, 1976, shall be required to carry personal liability insurance
10 for damages caused by reason of his tortious acts in not less than the
11 following amounts: For damages caused to any one person or to the
12 property of any one person, one hundred thousand dollars and for
13 damages caused to more than one person or to the property of more
14 than one person, three hundred thousand dollars. For the purpose of
15 this section "tortious act" means negligent acts, errors or omissions for

16 which such [sheriff or deputy sheriff] licensed process server may
17 become legally obligated to any damages for false arrest, erroneous
18 service of civil papers, false imprisonment, malicious prosecution,
19 libel, slander, defamation of character, violation of property rights or
20 assault and battery if committed while making or attempting to make
21 an arrest or against a person under arrest; provided, it shall not include
22 any such act unless committed in the performance of the official duties
23 of such [sheriff or deputy sheriff] licensed process server.

24 Sec. 3. Section 6-32 of the general statutes is repealed and the
25 following is substituted in lieu thereof:

26 Each [sheriff and each deputy sheriff] licensed process server shall
27 receive each process directed to him when tendered, execute it
28 promptly and make true return thereof; and shall, without any fee,
29 give receipts when demanded for all civil process delivered to him to
30 be served, specifying the names of the parties, the date of the writ, the
31 time of delivery and the sum or thing in demand. If any [sheriff]
32 licensed process server does not duly and promptly execute and return
33 any such process or makes a false or illegal return thereof, he shall be
34 liable to pay double the amount of all damages to the party aggrieved.

35 Sec. 4. (NEW) Commencing October 1, 2000, the Judicial
36 Department shall be responsible for the courthouse security system.
37 The Chief Court Administrator (1) shall establish and administer a
38 training program for courthouse security personnel; (2) shall establish
39 operating procedures for the courthouse security system and direct its
40 activities; (3) shall establish minimum qualifications for courthouse
41 security personnel; (4) shall develop a standardized test to determine
42 the qualifications, fitness and ability of applicants to perform the
43 duties of courthouse security personnel; (5) shall conduct an
44 investigation of the background of each applicant; and (6) shall require
45 each applicant to undergo a physical examination.

46 Sec. 5. Section 6-32d of the general statutes is repealed and the
47 following is substituted in lieu thereof:

48 [Except as otherwise agreed between the advisory board and the
49 Department of Correction or other appropriate agency, the
50 responsibility for transportation and custody of prisoners shall be
51 assumed as follows:]

52 [(1) Each high sheriff] (a) The Department of Correction shall be
53 responsible for the transportation of [male] prisoners between
54 courthouses [within his county] and: (A) Community correction
55 centers, until sentencing; (B) other places of confinement after
56 arraignment and until sentencing; and (C) the place of initial
57 confinement, after sentencing. [In addition, each high sheriff shall be
58 responsible for the transportation of adult female prisoners between
59 courthouses within his county and community correction centers, not
60 including the correctional institution at Niantic. If such transportation
61 is in other than state vehicles, the owner of the vehicle used shall be
62 reimbursed by the state at the rate then established for state employees
63 within the Office of Policy and Management.]

64 [(2) The Department of Correction shall be responsible for the
65 transportation of adult female prisoners between places of
66 confinement and either courthouses or community correction centers,
67 at the discretion of the Commissioner of Correction.

68 (3) Each high sheriff]

69 (b) The Department of Correction shall be responsible for the
70 custody of prisoners at courthouses, [within his county,] except that
71 the local police operating any lockup which is designated by the Chief
72 Court Administrator as a courthouse lockup shall be responsible for
73 the custody of prisoners within that lockup. In addition, if such
74 designated lockup is not in the same building as the courthouse
75 serviced by it, the local police operating such designated lockup shall
76 be responsible for escorting prisoners from the lockup to the
77 courthouse. The town in which such a designated lockup is located
78 shall be reimbursed pursuant to section 7-135a.

79 [(4)] (c) In Hartford County, the Lafayette Street courthouse shall be
80 used as housing for persons arrested by the police department of the
81 city of Hartford and held for presentment at the next session of the
82 court pursuant to the following terms and conditions: (A) No arrestees
83 shall be admitted or released directly to or from the lockup, and no
84 social visits shall be permitted at the lockup; (B) all processing and
85 booking shall be accomplished by the police department of the city of
86 Hartford at its booking facility; (C) after arrival at the lockup and prior
87 to arraignment, the release of any arrestee, with or without bond, shall
88 be accomplished by the police department of the city of Hartford from
89 its booking facility; and (D) the [high sheriff of Hartford County]
90 Department of Correction shall be responsible for the operation of the
91 lockup at the Lafayette Street courthouse and the transportation of
92 arrestees prior to arraignment from the Morgan Street facility or other
93 booking facility of the police department of the city of Hartford.

94 Sec. 6. (NEW) The Commissioner of Correction shall employ such
95 persons as are necessary for prisoner transportation. The commissioner
96 shall establish employment standards and qualifications and
97 implement appropriate training programs to assure secure prisoner
98 transportation. Any applicant for employment as prisoner
99 transportation personnel shall be required to submit to a criminal
100 record background investigation, to be conducted by the Department
101 of Public Safety and the Federal Bureau of Investigation.

102 Sec. 7. Section 6-35 of the general statutes is repealed and the
103 following is substituted in lieu thereof:

104 Any [sheriff or deputy sheriff] licensed process server shall pay over
105 to the person authorized to receive it, any money collected by him on
106 behalf or on account of such person, within ninety calendar days from
107 the date of collection of the money or upon the collection of one
108 thousand dollars, whichever first occurs, provided any [sheriff or
109 deputy sheriff] licensed process server who fails to pay over to the
110 person authorized to receive it, any money collected by him on behalf

111 or for the account of such person, within ninety calendar days from the
112 date of collection of the money or upon the collection of one thousand
113 dollars, shall be liable to such person for the payment of interest on the
114 money at the rate of five per cent per month from the date on which
115 such [sheriff or deputy sheriff] licensed process server received the
116 money.

117 Sec. 8. Section 6-37 of the general statutes is repealed and the
118 following is substituted in lieu thereof:

119 [Each sheriff may appoint deputies] (a) The Chief Court
120 Administrator shall license process servers to act under him, who shall
121 have the [same powers as such sheriff] power to serve civil process,
122 and each such [deputy] licensed process server shall be responsible for
123 his neglect, wrongdoing, malfeasance, misfeasance and default in the
124 execution of the service of process. [Each sheriff shall appoint one of
125 such deputies to be a chief deputy, who shall, in the absence, illness or
126 disability of the sheriff or by his direction, exercise all the powers and
127 perform all the duties of the sheriff prescribed by statute; and, in the
128 event of the death, resignation or removal of the sheriff, shall exercise
129 such powers and perform such duties until the vacancy in the office of
130 sheriff has been filled.] No person not a citizen of this state or who
131 does not meet qualifications established by the Chief Court
132 Administrator shall be licensed as a process server.

133 (b) On October 1, 2001, and annually thereafter, each process server
134 licensed pursuant to this section shall pay to the Chief Court
135 Administrator a certification fee. Such fee shall be paid as prescribed
136 by the administrator.

137 Sec. 9. Section 6-37a of the general statutes is repealed and the
138 following is substituted in lieu thereof:

139 [On or before January 1, 1995, the Sheriffs' Advisory Board, in
140 consultation with the high sheriffs,] The Chief Court administrator
141 shall develop a reference manual for [deputy sheriffs] licensed process

142 servers which shall contain, at a minimum, information concerning
143 service of process and wage, bank and property executions.

144 Sec. 10. Section 6-39 of the general statutes is repealed and the
145 following is substituted in lieu thereof:

146 Each [deputy sheriff] licensed process server, before entering upon
147 the duties of [his] the office of licensed process server, shall give to the
148 [sheriff] Chief Court Administrator a bond in the sum of ten thousand
149 dollars conditioned that he will faithfully discharge the duties of his
150 office and answer all damages which any person sustains by reason of
151 his unfaithfulness or neglect. [; provided no such bond shall be
152 required of a sheriff who has given a bond under the provisions of
153 section 6-30 and who is acting as a deputy pursuant to appointment
154 under section 6-38. The premium for said bonds shall be paid by the
155 state. No deputy sheriff] No licensed process server shall collect tax
156 warrants for the state or any municipality until such [deputy sheriff]
157 licensed process server executes a bond in the sum of one hundred
158 thousand dollars.

159 Sec. 11. Section 6-43 of the general statutes is repealed and the
160 following is substituted in lieu thereof:

161 [In case of riot or civil commotion or reasonable apprehension
162 thereof, or when he deems it necessary for the prevention or
163 investigation of crime, or when needed for attendance at court, the
164 sheriff of any county may appoint special deputy sheriffs in such
165 numbers as he deems necessary. Special deputy sheriffs shall be sworn
166 to the faithful performance of their duties and, having been so sworn,
167 shall have all the powers of the sheriff as provided by law, except as to
168 service of civil process; and such special deputies shall continue to
169 hold their office as long as the term of office of the sheriff appointing
170 them, unless sooner removed for just cause after due notice and
171 hearing.] From July 1, 1997, to June 30, 1999, special deputy sheriffs
172 shall be subject to the provisions of chapter 68, except that said special
173 deputies shall not be allowed to petition the State Labor Board to form

174 a bargaining unit prior to July 1, 1999. On and after July 1, 1999, special
175 deputy sheriffs shall be subject to the provisions of chapters 66 to 68,
176 inclusive.

177 Sec. 12. Subsection (k) of section 1-79 of the general statutes, as
178 amended by public act 99-56, is repealed and the following is
179 substituted in lieu thereof:

180 (k) "Public official" means any state-wide elected officer, any
181 member or member-elect of the General Assembly, any person
182 appointed to any office of the legislative, judicial or executive branch
183 of state government by the Governor or an appointee of the Governor,
184 with or without the advice and consent of the General Assembly, [any
185 sheriff or deputy sheriff,] any person appointed or elected by the
186 General Assembly or by any member of either house thereof, and any
187 member or director of a quasi-public agency, but shall not include a
188 member of an advisory board, a judge of any court either elected or
189 appointed or a senator or representative in Congress.

190 Sec. 13. Subsections (a) and (b) of section 1-83 of the general statutes
191 are repealed and the following is substituted in lieu thereof:

192 (a) (1) All state-wide elected officers, members of the General
193 Assembly, department heads and their deputies, members of the
194 Gaming Policy Board, the executive director of the Division of Special
195 Revenue within the Department of Revenue Services, members or
196 directors of each quasi-public agency, [sheriffs and deputy sheriffs]
197 licensed process server and such members of the Executive
198 Department and such employees of quasi-public agencies as the
199 Governor shall require, shall file, under penalty of false statement, a
200 statement of financial interests for the preceding calendar year with the
201 commission on or before the May first next in any year in which they
202 hold such a position. Any such individual who leaves his office or
203 position shall file a statement of financial interests covering that
204 portion of the year during which he held his office or position. The
205 commission shall notify such individuals of the requirements of this

206 subsection within thirty days after their departure from such office or
207 position. Such individuals shall file such statement within sixty days
208 after receipt of the notification.

209 (2) Each state agency, department, board and commission shall
210 develop and implement, in cooperation with the Ethics Commission,
211 an ethics statement as it relates to the mission of the agency,
212 department, board or commission. The executive head of each such
213 agency, department, board or commission shall be directly responsible
214 for the development and enforcement of such ethics statement and
215 shall file a copy of such ethics statement with the Department of
216 Administrative Services and the Ethics Commission.

217 (b) (1) The statement of financial interests, except as provided in
218 subdivision (2) of this subsection, shall include the following
219 information for the preceding calendar year in regard to the individual
220 required to file the statement and his spouse and dependent children
221 residing in the individual's household: (A) The names of all businesses
222 with which associated; (B) the category or type of all sources of income
223 in excess of one thousand dollars, amounts of income shall not be
224 specified; (C) the name of securities in excess of five thousand dollars
225 at fair market value owned by such individual, spouse or dependent
226 children or held in the name of a corporation, partnership or trust for
227 the benefit of such individual, spouse or dependent children; (D) the
228 existence of any known blind trust and the names of the trustees; (E)
229 all real property and its location, whether owned by such individual,
230 spouse or dependent children or held in the name of a corporation,
231 partnership or trust for the benefit of such individual, spouse or
232 dependent children; (F) the names and addresses of creditors to whom
233 the individual, his spouse or dependent children, individually, owed
234 debts of more than ten thousand dollars; and (G) any leases or
235 contracts with the state held or entered into by the individual or a
236 business with which he was associated. (2) The statement of financial
237 interests filed by [sheriffs and deputy sheriffs] licensed process server
238 shall include only amounts and sources of income earned in their

239 capacity as [sheriffs or deputy sheriffs] licensed process server.

240 Sec. 14. Section 1-102 of the general statutes is repealed and the
241 following is substituted in lieu thereof:

242 No person, committee, association, organization or corporation shall
243 employ any salaried commissioner or deputy commissioner of this
244 state, [the sheriff of any county] or any person receiving a salary or pay
245 from the state for services rendered and performed at Hartford, or
246 shall give to any such person any advantage, aid, emolument,
247 entertainment, money or other valuable thing for appearing for, in
248 behalf of or in opposition to, any measure, bill, resolution or petition
249 pending before the General Assembly or any committee thereof, or for
250 advancing, supporting, advocating, or seeking to secure the passage,
251 defeat or amendment of any such measure, bill, resolution or petition
252 pending in or before the General Assembly or any committee thereof;
253 nor shall any such salaried commissioner, deputy commissioner [,
254 sheriff] or other person described in this section accept any such
255 employment or perform any such service for another, or accept aid,
256 emolument, entertainment, money, advantage or other valuable thing
257 for or in consideration of any such service. Any person, committee,
258 association, organization or corporation, or any such salaried
259 commissioner, deputy commissioner [, sheriff] or person receiving a
260 salary or pay from the state for services rendered and performed at
261 Hartford, who violates any of the provisions of this section shall be
262 fined not less than one hundred nor more than one thousand dollars.
263 All complaints for the violation of this section shall be made to the
264 state's attorney for the judicial district of New Britain, and he shall,
265 upon proof of probable guilt being shown, cause the arrest of any such
266 offender and present him or cause him to be presented for trial before
267 the superior court for the judicial district of New Britain.

268 Sec. 15. Section 2-7 of the general statutes is repealed and the
269 following is substituted in lieu thereof:

270 (a) Whenever the Governor, the members of the General Assembly

271 or the president pro tempore of the Senate and the speaker of the
272 House of Representatives call a special session of the General
273 Assembly, the Secretary of the State shall give notice thereof by
274 mailing a true copy of the call of such special session, by first class
275 mail, evidenced by a certificate of mailing, to each member of the
276 House of Representatives and of the Senate at his or her address as it
277 appears upon the records of said secretary not less than ten nor more
278 than fifteen days prior to the date of convening of such special session
279 or by causing a true copy of the call to be delivered to each member by
280 a [sheriff, deputy sheriff] licensed process server, constable, state
281 policeman or indifferent person at least twenty-four hours prior to the
282 time of convening of such special session.

283 (b) Whenever the Secretary of the State is required to reconvene the
284 General Assembly pursuant to article third of the amendments to the
285 Constitution of Connecticut, said secretary shall give notice thereof by
286 mailing a true copy of the call of such reconvened session, by first class
287 mail, evidenced by a certificate of mailing, to each member of the
288 House of Representatives and of the Senate at his or her address as it
289 appears upon the records of said secretary not less than five days prior
290 to the date of convening of such reconvened session or by causing a
291 true copy of the call to be delivered to each member by a [sheriff,
292 deputy sheriff] licensed process server, constable, state policeman or
293 indifferent person at least twenty-four hours prior to the time of
294 convening of such reconvened session.

295 Sec. 16. Section 2-61 of the general statutes is repealed and the
296 following is substituted in lieu thereof:

297 The Secretary of the State shall deliver five hundred copies of the
298 revised statutes, of each supplement to the general statutes and of each
299 revised volume thereof and three hundred fifty copies of each volume
300 of the public acts and special acts to the State Library for its general
301 purposes and for exchange with other states and libraries, and four
302 hundred copies of the revised statutes, of each supplement, of each

303 revised volume and of each volume of the public acts, and such
304 additional number of each as the executive secretary of the Judicial
305 Department certifies as necessary, for the use of any of the state-
306 maintained courts, and one hundred fifty copies of each volume of the
307 special acts to said executive secretary for distribution to state-
308 maintained courts, and, to the several departments, agencies and
309 institutions of the executive branch of the state government, as many
310 copies of the revised statutes, of each supplement, of each revised
311 volume and of each of the volumes of public acts and special acts as
312 they require for the performance of their duties. He shall send free of
313 charge one copy of the revised statutes, of each supplement to the
314 general statutes, of each revised volume thereof and of each of the
315 volumes of public acts and special acts to the Governor, Lieutenant
316 Governor, Treasurer, Secretary of the State, Attorney General,
317 Comptroller, Adjutant General, [each sheriff,] each town clerk, each
318 probate court, the police department of each municipality having a
319 regularly organized police force, each assistant to the Attorney
320 General, and each county law library; and he shall supply free of
321 charge one copy of the revised statutes to each member of the General
322 Assembly at the first session in which he serves as a member and, at
323 each session in which he serves, one copy of each revised volume
324 thereof and of each supplement not previously supplied to him, such
325 distribution of the statutes and supplements to be made within thirty
326 days after the election or reelection of such member, and, following
327 each session at which he serves, one volume of each of the public acts
328 and special acts passed at such session; and to the clerks of the House
329 and Senate, each, one copy of the revised statutes, of each revised
330 volume thereof, of each supplement and one volume of each of the
331 public acts and special acts for use in the clerks' office.

332 Sec. 17. Section 3-96 of the general statutes is repealed and the
333 following is substituted in lieu thereof:

334 The Secretary shall keep in his office, for public inspection, a copy of
335 the list of the judges and clerks of the Superior Court, and of the state's

336 attorneys, and [sheriffs] licensed process servers, with the date of their
337 respective appointments and terms of service and shall, from time to
338 time, add to said list the names of persons thereafter appointed or
339 elected to the offices named. The Chief Court Administrator shall
340 furnish the Secretary a certified list of the chief clerks, deputy chief
341 clerks, clerks, deputy clerks and assistant clerks appointed by the
342 judges of the Superior Court at their annual meeting, and any judge
343 making an appointment to fill a vacancy shall, in like manner, certify
344 to such appointment; and the chief clerk of the Superior Court in each
345 judicial district shall notify the Secretary whenever a new appointment
346 is made for the office of state's attorney for his judicial district. The
347 Secretary shall, when requested, certify to the official character of the
348 officers whose appointment is recorded as herein provided.

349 Sec. 18. Section 3-125 of the general statutes is repealed and the
350 following is substituted in lieu thereof:

351 The Attorney General shall appoint a deputy, who shall be sworn to
352 the faithful discharge of his duties and shall perform all the duties of
353 the Attorney General in case of his sickness or absence. He shall
354 appoint such other assistants as he deems necessary, subject to the
355 approval of the Governor. The Attorney General may also appoint not
356 more than four associate attorneys general who will serve at the
357 pleasure of the Attorney General and will be exempt from the
358 classified service. The Attorney General shall have general supervision
359 over all legal matters in which the state is an interested party, except
360 those legal matters over which prosecuting officers have direction. He
361 shall appear for the state, the Governor, the Lieutenant Governor, the
362 Secretary, the Treasurer and the Comptroller, and for all heads of
363 departments and state boards, commissioners, agents, inspectors,
364 committees, auditors, chemists, directors, harbor masters, [high
365 sheriffs or their chief deputies, except in such matters for which high
366 sheriffs or their chief deputies are insured or required to be insured by
367 the general statutes,] and institutions and for the State Librarian in all
368 suits and other civil proceedings, except upon criminal recognizances

369 and bail bonds, in which the state is a party or is interested, or in
370 which the official acts and doings of said officers are called in question,
371 and for all members of the state House of Representatives and the state
372 Senate in all suits and other civil proceedings brought against them
373 involving their official acts and doings in the discharge of their duties
374 as legislators, in any court or other tribunal, as the duties of his office
375 require; and all such suits shall be conducted by him or under his
376 direction. When any measure affecting the State Treasury is pending
377 before any committee of the General Assembly, such committee shall
378 give him reasonable notice of the pendency of such measure, and he
379 shall appear and take such action as he deems to be for the best
380 interests of the state, and he shall represent the public interest in the
381 protection of any gifts, legacies or devises intended for public or
382 charitable purposes. All legal services required by such officers and
383 boards in matters relating to their official duties shall be performed by
384 the Attorney General or under his direction. All writs, summonses or
385 other processes served upon such officers and legislators shall,
386 forthwith, be transmitted by them to the Attorney General. All suits or
387 other proceedings by such officers shall be brought by the Attorney
388 General or under his direction. He shall, when required by either
389 house of the General Assembly or when requested by the president
390 pro tempore of the Senate, the speaker of the House of
391 Representatives, or the majority leader or the minority leader of the
392 Senate or House of Representatives, give his opinion upon questions of
393 law submitted to him by either of said houses or any of said leaders.
394 He shall advise or give his opinion to the head of any executive
395 department or any state board or commission upon any question of
396 law submitted to him. He may procure such assistance as he may
397 require. Whenever a trustee, under the provisions of any charitable
398 trust described in section 45a-514, is required by statute to give a bond
399 for the performance of his duties as trustee, the Attorney General may
400 cause a petition to be lodged with the probate court of the district in
401 which such trust property is situated, or where any of the trustees
402 reside, for the fixing, accepting and approving of a bond to the state,

403 conditioned for the proper discharge of the duties of such trust, which
404 bond shall be filed in the office of such probate court. The Attorney
405 General shall prepare a topical and chronological cross-index of all
406 legal opinions issued by the office of the Attorney General and shall,
407 from time to time, update the same.

408 Sec. 19. Subsection (d) of section 4-151 of the general statutes is
409 repealed and the following is substituted in lieu thereof:

410 (d) If any person fails to respond to a subpoena, the Claims
411 Commissioner may issue a *capias*, directed to [the sheriff of the county
412 in which such person resides] a licensed process server, to arrest such
413 person and bring him before the Claims Commissioner to testify.

414 Sec. 20. Section 5-142a of the general statutes is repealed and the
415 following is substituted in lieu thereof:

416 Any [high sheriff, chief deputy sheriff, deputy sheriff or special
417 deputy sheriff] licensed process server who suffers death, disability or
418 injury, while in performance of any duty for which he is compensated
419 by the state, shall, for the purposes of section 5-142 and chapter 568, be
420 presumed to be an employee of the state and shall be compensated by
421 the state in accordance with said section and chapter.

422 Sec. 21. Section 7-89 of the general statutes is repealed and the
423 following is substituted in lieu thereof:

424 Constables shall have the same power in their towns to serve and
425 execute all lawful process legally directed to them as [sheriffs have in
426 their respective counties] licensed process server and shall be liable in
427 the same manner for any neglect or unfaithfulness in their office.

428 Sec. 22. Section 7-108 of the general statutes is repealed and the
429 following is substituted in lieu thereof:

430 Each city and borough shall be liable for all injuries to person or
431 property, including injuries causing death, when such injuries are

432 caused by an act of violence of any person or persons while a member
433 of, or acting in concert with, any mob, riotous assembly or assembly of
434 persons engaged in disturbing the public peace, if such city or
435 borough, or the police or other proper authorities thereof, have not
436 exercised reasonable care or diligence in the prevention or suppression
437 of such mob, riotous assembly or assembly engaged in disturbing the
438 public peace. [Each city and borough shall be liable to the state for any
439 sums paid for compensation or expenses of any sheriff, his deputy or
440 other persons called upon to assist him, while engaged in preventing
441 or suppressing any mob or riotous assembly, preserving the public
442 peace or affording protection to any person or property endangered by
443 any mob or riotous assembly or any assembly of persons engaged in
444 disturbing the public peace, within such city or borough.] Any person
445 claiming damages under this section from any city or borough shall
446 give written notice to the clerk of the city or borough of such claim and
447 of the injury upon which such claim is based, containing a general
448 description of such injury and of the time, place and cause of its
449 occurrence, within thirty days after the occurrence of such injury; and
450 an administrator or executor seeking to recover damages for the death
451 of a decedent whom he represents shall give such written notice within
452 thirty days after his appointment; provided such notice shall be given
453 not later than four months after the date of the injury so causing the
454 death of the decedent whom he represents. The expense for which
455 such city or borough is made liable to the state under the provisions of
456 this section shall, if more than one municipal corporation is jointly
457 responsible for the expense aforesaid, be assessed by the Secretary of
458 the Office of Policy and Management, the Attorney General and the
459 Comptroller, acting as a board of assessors. Such board of assessors
460 may apportion such expense among the different municipal
461 corporations so jointly responsible in such manner as to it seems just.
462 An appeal from the action of such board of assessors may be taken to
463 the superior court for the judicial district in which the appellant city or
464 borough is situated, and, if the cities or boroughs concerned are
465 located in different judicial districts, then such appeal may be taken to

466 the superior court for that judicial district in which the city or borough
467 concerned having the largest population according to the last-
468 preceding census is located. The amount of such assessment against
469 any city or borough for which it is liable to the state under the
470 provisions of this section shall be certified to the clerk of such city or
471 borough by the Comptroller as soon as such assessment is made, and
472 the appeal from such assessment provided herein shall be taken by
473 such city or borough within thirty days from the receipt by it of such
474 certificate of assessment by the Comptroller.

475 Sec. 23. Section 8-129 of the general statutes is repealed and the
476 following is substituted in lieu thereof:

477 The redevelopment agency shall determine the compensation to be
478 paid to the persons entitled thereto for such real property and shall file
479 a statement of compensation, containing a description of the property
480 to be taken and the names of all persons having a record interest
481 therein and setting forth the amount of such compensation, and a
482 deposit as provided in section 8-130, with the clerk of the superior
483 court for the judicial district in which the property affected is located.
484 Upon filing such statement of compensation and deposit, the
485 redevelopment agency shall forthwith cause to be recorded, in the
486 office of the town clerk of each town in which the property is located, a
487 copy of such statement of compensation, such recording to have the
488 same effect as and to be treated the same as the recording of a lis
489 pendens, and shall forthwith give notice, as hereinafter provided, to
490 each person appearing of record as an owner of property affected
491 thereby and to each person appearing of record as a holder of any
492 mortgage, lien, assessment or other encumbrance on such property or
493 interest therein (a), in the case of any such person found to be residing
494 within this state, by causing a copy of such notice, with a copy of such
495 statement of compensation, to be served upon each such person by a
496 [sheriff, his deputy] licensed process server or a constable or an
497 indifferent person, in the manner set forth in section 52-57 for the
498 service of civil process and (b), in the case of any such person who is a

499 nonresident of this state at the time of the filing of such statement of
500 compensation and deposit or of any such person whose whereabouts
501 or existence is unknown, by mailing to each such person a copy of such
502 notice and of such statement of compensation, by registered or
503 certified mail, directed to his last-known address, and by publishing
504 such notice and such statement of compensation at least twice in a
505 newspaper published in the judicial district and having daily or
506 weekly circulation in the town in which such property is located. Any
507 such published notice shall state that it is notice to the widow or
508 widower, heirs, representatives and creditors of the person holding
509 such record interest, if such person is dead. If, after a reasonably
510 diligent search, no last-known address can be found for any interested
511 party, an affidavit stating such fact, and reciting the steps taken to
512 locate such address, shall be filed with the clerk of the superior court
513 and accepted in lieu of mailing to the last-known address. Not less
514 than twelve days nor more than ninety days after such notice and such
515 statement of compensation have been so served or so mailed and first
516 published, the redevelopment agency shall file with the clerk of the
517 superior court a return of notice setting forth the notice given and,
518 upon receipt of such return of notice, such clerk shall, without any
519 delay or continuance of any kind, issue a certificate of taking setting
520 forth the fact of such taking, a description of all the property so taken
521 and the names of the owners and of all other persons having a record
522 interest therein. The redevelopment agency shall cause such certificate
523 of taking to be recorded in the office of the town clerk of each town in
524 which such property is located. Upon the recording of such certificate,
525 title to such property in fee simple shall vest in the municipality, and
526 the right to just compensation shall vest in the persons entitled thereto.
527 At any time after such certificate of taking has been so recorded, the
528 redevelopment agency may repair, operate or insure such property
529 and enter upon such property, and take whatever action is proposed
530 with regard to such property by the project area redevelopment plan.
531 The notice referred to above shall state (a) that not less than twelve
532 days nor more than ninety days after service or mailing and first

533 publication thereof, the redevelopment agency shall file, with the clerk
534 of the superior court of the judicial district in which such property is
535 located, a return setting forth the notice given, (b) that upon receipt of
536 such return such clerk shall issue a certificate for recording in the office
537 of the town clerk of each town in which such property is located, (c)
538 that upon the recording of such certificate, title to such property shall
539 vest in the municipality, the right to just compensation shall vest in the
540 persons entitled thereto and the redevelopment agency may repair,
541 operate or insure such property and enter upon such property and
542 take whatever action may be proposed with regard thereto by the
543 project area redevelopment plan and (d) that such notice shall bind the
544 widow or widower, heirs, representatives and creditors of each person
545 named therein who then or thereafter may be dead. When any
546 redevelopment agency acting in behalf of any municipality has
547 acquired or rented real property by purchase, lease, exchange or gift in
548 accordance with the provisions of this section, or in exercising its right
549 of eminent domain has filed a statement of compensation and deposit
550 with the clerk of the superior court and has caused a certificate of
551 taking to be recorded in the office of the town clerk of each town in
552 which such property is located as herein provided, any judge of such
553 court may, upon application and proof of such acquisition or rental or
554 such filing and deposit and such recording, order such clerk to issue an
555 execution commanding [the sheriff of the county or his deputy] a
556 licensed process server to put such municipality and the
557 redevelopment agency, as its agent, into peaceable possession of the
558 property so acquired, rented or condemned. The provisions of this
559 section shall not be limited in any way by the provisions of chapter
560 832.

561 Sec. 24. Section 9-212 of the general statutes is repealed and the
562 following is substituted in lieu thereof:

563 In case of a vacancy in the office of representative in Congress from
564 any district, the Governor, except as otherwise provided by law, shall
565 issue writs of election directed to the town clerks or assistant town

566 clerks, in such district, ordering an election to be held on a day named,
567 other than a Saturday or Sunday, to fill such vacancy, and shall cause
568 them to be conveyed to [the sheriffs of the county or counties
569 composing such district] a licensed process server, who shall forthwith
570 transmit an attested copy thereof to such clerks or assistant clerks.
571 Such clerks or assistant clerks, on receiving such writs, shall warn
572 elections to be held on the day appointed therein in the same manner
573 as state elections are warned, which elections shall be organized and
574 conducted as are state elections, and the vote shall be declared,
575 certified, directed, deposited, returned and transmitted in the same
576 manner as at a state election.

577 Sec. 25. Section 9-218 of the general statutes is repealed and the
578 following is substituted in lieu thereof:

579 When there is no election of judge of probate in any district by
580 reason of two or more having an equal and the highest number of
581 votes, or when a new probate district is created and no provision made
582 for the election of a judge thereof, or whenever it is shown to the
583 Governor that a vacancy is about to exist in said office by reason of the
584 resignation of the incumbent to take effect at a future time or by reason
585 of constitutional limitation, or when there is a vacancy in said office,
586 the Governor shall issue writs of election directed to the town clerk or
587 clerks or assistant town clerk or clerks within such district, ordering an
588 election to be held on a day named therein, other than a Saturday or
589 Sunday, to fill such vacancy or impending vacancy, and transmit the
590 same to [the sheriff of the county in which such district is situated.
591 Such sheriff] a licensed process server. Such licensed process server
592 shall forthwith transmit them to such clerk or clerks, who, on receiving
593 the same, shall warn elections to be held on the day appointed in such
594 writs, in the same manner as state elections are warned. Such elections
595 shall be organized and conducted, and the vote shall be declared and
596 returns made, certified, directed, deposited and transmitted, in the
597 same manner as at a state election. The Secretary of the State, Treasurer
598 and Comptroller shall, within thirty days after any such election, count

599 and declare the votes so returned, and notice shall be given to the
600 person declared elected, in the same manner as is provided in the
601 election of judges of probate at state elections. The Secretary of the
602 State shall enter the returns in tabular form in books kept by him for
603 that purpose and present a copy of the same, with the name of, and the
604 total number of votes received by, each of the candidates for said
605 office, to the Governor within ten days thereafter.

606 Sec. 26. Subsection (b) of section 9-346b of the general statutes is
607 repealed and the following is substituted in lieu thereof:

608 (b) In the conduct of any such inquiry the referee, judge, state's
609 attorney or assistant state's attorney may employ a competent
610 stenographer to take notes of the examination of any witness, and may
611 furnish a transcript of such notes to any prosecuting officer having
612 jurisdiction of the subject matter of such inquiry. The referee or judge
613 may require the attendance and assistance, at any such inquiry and in
614 procuring the attendance of witnesses, of any [sheriff, deputy sheriff]
615 licensed process server, state policeman, constable or police officer,
616 who shall be allowed such compensation as the referee or judge deems
617 reasonable.

618 Sec. 27. Section 10-200 of the general statutes is repealed and the
619 following is substituted in lieu thereof:

620 Each city and town may adopt ordinances concerning habitual
621 truants from school and children between the ages of five and sixteen
622 years wandering about its streets or public places, having no lawful
623 occupation and not attending school; and may make such ordinances
624 respecting such children as shall conduce to their welfare and to public
625 order, imposing penalties, not exceeding twenty dollars, for any one
626 breach thereof. The police in any town, city or borough and bailiffs [,
627 and constables [, sheriffs and deputy sheriffs] in their respective
628 precincts shall arrest all such children found anywhere beyond the
629 proper control of their parents or guardians, during the usual school
630 hours of the school terms, and may stop any child under sixteen years

631 of age during such hours and ascertain whether such child is a truant
632 from school, and, if such child is, shall send such child to school. For
633 purposes of this section, "habitual truant" means a child age five to
634 sixteen, inclusive, enrolled in a public or private school who has
635 twenty unexcused absences within a school year.

636 Sec. 28. Subsection (a) of section 12-35 of the general statutes is
637 repealed and the following is substituted in lieu thereof:

638 (a) Wherever used in this chapter, unless otherwise provided, "state
639 collection agency" includes the Treasurer, the Commissioner of
640 Revenue Services and any other state official, board or commission
641 authorized by law to collect taxes payable to the state and any duly
642 appointed deputy of any such official, board or commission; "tax"
643 includes not only the principal of any tax but also all interest, penalties,
644 fees and other charges added thereto by law; and "serving officer"
645 includes any [sheriff, deputy sheriff] licensed process server, constable
646 or employee of such state collection agency designated for such
647 purpose by a state collection agency and any person so designated by
648 the Labor Commissioner. Upon the failure of any person to pay any
649 tax, except any tax under chapter 216, due the state within thirty days
650 from its due date, the state collection agency charged by law with its
651 collection shall add thereto such penalty or interest or both as are
652 prescribed by law, provided, if any statutory penalty is not specified,
653 there may be added a penalty in the amount of ten per cent of the
654 whole or such part of the principal of the tax as is unpaid or fifty
655 dollars, whichever amount is greater, and provided, if any statutory
656 interest is not specified, there shall be added interest at the rate of one
657 per cent of the whole or such part of the principal of the tax as is
658 unpaid for each month or fraction thereof, from the due date of such
659 tax to the date of payment. Upon the failure of any person to pay any
660 tax, except any tax under chapter 216, due within thirty days of its due
661 date, the state collection agency charged by law with the collection of
662 such tax may make out and sign a warrant directed to any serving
663 officer for distraint upon any property of such person found within the

664 state, whether real or personal. An itemized bill shall be attached
665 thereto, certified by the state collection agency issuing such warrant as
666 a true statement of the amount due from such person. Such warrant
667 shall have the same force and effect as an execution issued pursuant to
668 chapter 906. Such warrant may be levied on any real property or
669 tangible or intangible personal property of such person, and sale made
670 pursuant to such warrant in the same manner and with the same force
671 and effect as a levy of sale pursuant to an execution. In addition
672 thereto, if such warrant has been issued by the Commissioner of
673 Revenue Services, his deputy, the Labor Commissioner, the executive
674 director of the Employment Security Division or any person in the
675 Employment Security Division in a position equivalent to or higher
676 than the position presently held by a revenue examiner four, said
677 serving officer shall be authorized to place a keeper in any place of
678 business and it shall be such keeper's duty to secure the income of such
679 business for the state and, when it is in the best interest of the state, to
680 force cessation of such business operation. In addition, the Attorney
681 General may collect any such tax by civil action. Each serving officer so
682 receiving a warrant shall make a return with respect to such warrant to
683 the appropriate collection agency within a period of ten days following
684 receipt of such warrant. Each serving officer shall collect from such
685 person, in addition to the amount shown on such warrant, his fees and
686 charges, which shall be twice those authorized by statute for serving
687 officers, provided the minimum charge shall be five dollars and money
688 collected pursuant to such warrant shall be first applied to the amount
689 of any fees and charges of the serving officer. In the case of an
690 employee of the state acting as a serving officer the fees and charges
691 collected by such employee shall inure to the benefit of the state. For
692 the purposes of this section, "keeper" means a person who has been
693 given authority by an officer authorized to serve a tax warrant to act in
694 the state's interest to secure the income of a business for the state and,
695 when it is in the best interest of the state, to force the cessation of such
696 business's operation, upon the failure of such business to pay taxes
697 owed to the state.

698 Sec. 29. Subsection (a) of section 12-135 of the general statutes is
699 repealed and the following is substituted in lieu thereof:

700 (a) Any collector of taxes, and any [sheriff, deputy sheriff] licensed
701 process server or constable, as he may be authorized by such collector,
702 shall, during his term of office, have authority to collect any taxes due
703 the municipality served by such collector for which a proper warrant
704 and a proper alias tax warrant, in the case of the deputized officer,
705 have been issued. Such alias tax warrant may be executed by any
706 officer above named in any part of the state, and the collector in person
707 may demand and collect taxes in any part of the state on a proper
708 warrant. Any such [sheriff, deputy sheriff] licensed process server or
709 constable so authorized who executes such an alias tax warrant outside
710 of his respective precinct shall be entitled to collect from the person
711 owing the tax the fees allowed by law, except that the minimum total
712 fees shall be five dollars and the maximum total fees shall be fifteen
713 dollars for each alias tax warrant so executed. Upon the expiration of
714 his term of office the collector shall deliver to his immediate successor
715 in office the rate bills not fully collected and such successor shall have
716 authority to collect the taxes due thereon. Any person who fails to
717 deliver such rate bills to his immediate successor within ten days from
718 the qualification of such successor shall be fined not more than two
719 hundred dollars or imprisoned not more than six months or both.

720 Sec. 30. Section 12-162 of the general statutes is repealed and the
721 following is substituted in lieu thereof:

722 Any collector of taxes, in the execution of his tax warrants, shall
723 have the same authority as [sheriffs] licensed process servers have in
724 executing the duties of their office, and any [sheriff, deputy sheriff]
725 licensed process server, constable or other officer authorized to serve
726 any civil process may serve a warrant for the collection of any tax
727 assessed, and the officer shall have the same authority as the collector
728 concerning taxes committed to him for collection. Upon the
729 nonpayment of any property tax when due, demand having been

730 made therefor as prescribed by law for the collection of such tax, an
731 alias tax warrant may be issued by the tax collector, which may be in
732 the following form:

733 "To [the Sheriff of the County of, his deputy] any licensed process
734 server any constable of the Town of [within said county,] Greeting:
735 By authority of the state of Connecticut you are hereby commanded to
736 collect forthwith from of the sum of dollars, the same being
737 the amount of a tax with interest or penalty and charges which have
738 accumulated thereon, which tax was levied by (insert name of town,
739 city or municipality laying the tax) upon (insert the real estate,
740 personal property, or both, as the case may be,) of said as of the
741 day of (In like manner insert the amount of any other property tax
742 which may have been levied in any other year, including interest or
743 penalty and charges which have accumulated thereon). In default of
744 payment of said amount you are hereby commanded to levy for said
745 tax or taxes, including interest, penalty and charges, hereinafter
746 referred to as the amount due on such execution, upon any goods and
747 chattels of such person and dispose of the same as the law directs,
748 notwithstanding the provisions of subsection (j) of section 52-352b,
749 and, after having satisfied the amount due on such execution, return
750 the surplus, if any, to him; or you are to levy upon the real estate of
751 such person and sell such real property pursuant to the provisions of
752 section 12-157, to pay the amount due on such execution; or you shall
753 make demand upon the main office of any banking institution
754 indebted to such person, subject to the provisions of section 52-367a or
755 52-367b, as if judgment for the amount due on such execution had been
756 entered, for that portion of any type of deposit to the credit of or
757 property held for such person, not exceeding in total value the amount
758 due on such execution; or you are to garnishee the wages due such
759 person from any employer, in the same manner as if a wage execution
760 therefor had been entered, in accordance with section 52-361a.

761 Dated at this day of A.D. 19.., Tax Collector."

762 Any officer serving such warrant shall make return to the collector
763 of his doings thereon within ten days of the completion of such service
764 and shall be entitled to collect from such person the fees allowed by
765 law for serving executions issued by any court. Notwithstanding the
766 provisions of section 52-261, any [sheriff, deputy sheriff] licensed
767 process server or constable, authorized as provided in this section,
768 who executes such warrant and collects any delinquent municipal
769 taxes as a result thereof shall receive in addition to expenses otherwise
770 allowed, an amount equal to ten per cent of the taxes collected
771 pursuant to such warrant. The minimum fee for such service shall be
772 twenty dollars. Any officer unable to serve such warrant shall, within
773 sixty days after the date of issuance, return such warrant to the
774 collector and in writing state the reason it was not served.

775 Sec. 31. Section 12-569 of the general statutes is repealed and the
776 following is substituted in lieu thereof:

777 If the president of the Connecticut Lottery Corporation determines
778 that any lottery sales agent has breached his fiduciary responsibility to
779 the corporation in that the account of such lottery sales agent with
780 respect to moneys received from the sale of lottery tickets has become
781 delinquent in accordance with regulations adopted as provided in
782 section 12-568a, the president shall notify the executive director of the
783 breach of fiduciary duty and the executive director shall impose a
784 delinquency assessment upon such account equal to ten per cent of the
785 amount due or ten dollars, whichever amount is greater, plus interest
786 at the rate of one and one-half per cent of such amount for each month
787 or fraction of a month from the date such amount is due to the date of
788 payment. Subject to the provisions of section 12-3a, the executive
789 director may waive all or part of the penalties provided under this
790 subsection when it is proven to his satisfaction that the failure to pay
791 such moneys to the state within the time allowed was due to
792 reasonable cause and was not intentional or due to neglect. Any such
793 delinquent lottery sales agent shall be notified of such delinquency
794 assessment and shall be afforded an opportunity to contest the validity

795 and amount of such assessment before the executive director who is
796 hereby authorized to conduct such hearing. Upon request of the
797 president of the Connecticut Lottery Corporation, the executive
798 director may prepare and sign a warrant directed to any [sheriff,
799 deputy sheriff] licensed process server, constable or any collection
800 agent employed by the Connecticut Lottery Corporation for distraint
801 upon any property of such delinquent lottery sales agent within the
802 state, whether personal or real property. An itemized bill shall be
803 attached thereto certified by the executive director as a true statement
804 of the amount due from such lottery sales agent. Such warrant shall
805 have the same force and effect as an execution issued in accordance
806 with chapter 906. Such warrant shall be levied on any real, personal,
807 tangible or intangible property of such agent and sale made pursuant
808 to such warrant in the same manner and with the same force and effect
809 as a levy and sale pursuant to an execution. The executive director,
810 with the advice and consent of the board, shall adopt regulations in
811 accordance with chapter 54 to carry out the purposes of this section.

812 Sec. 32. Section 13a-64 of the general statutes is repealed and the
813 following is substituted in lieu thereof:

814 All persons interested in laying out or altering such highway may
815 appear before said court and remonstrate against the acceptance of
816 such report for any irregularity or improper conduct on the part of the
817 committee, and for such a cause the court may set aside such report;
818 but if it is of the opinion that it ought to be accepted, and if, before its
819 acceptance, a jury is moved for to reestimate the damages and benefits
820 or either, said court shall order a jury of six to be drawn from the
821 boxes, in the custody of the clerk of the superior court of the judicial
822 district, of such towns in the county, in which such judicial district is
823 located, where the application is made as the court directs, and to be
824 summoned by a licensed process server and attended by [the sheriff of
825 such county personally or, if he is interested or incapacitated, by such
826 deputy sheriff in the county] such court security personnel as the court
827 directs. Such jury shall be sworn and a certificate of that fact shall be

828 annexed to its report; and its powers shall be confined to granting
829 relief to the person or persons making such application. The parties to
830 this proceeding may challenge any of such jurors as in a civil action;
831 and when, by reason of any such challenge, the panel is reduced to less
832 than six, the clerk shall return such number of disinterested electors
833 from any of the towns in the judicial district, except that in which such
834 highway is located or in which the owner of the land resides, as is
835 necessary to fill such panel; and such clerk shall, within forty-eight
836 hours thereafter, return the names of such persons so challenged into
837 the boxes from which they were drawn.

838 Sec. 33. Subdivision (53) of subsection (a) of section 14-1 of the
839 general statutes is repealed and the following is substituted in lieu
840 thereof:

841 (53) "Officer" includes any constable, [sheriff, deputy sheriff]
842 licensed process server, inspector of motor vehicles, state policeman or
843 other official authorized to make arrests or to serve process, provided
844 the officer is in uniform or displays his badge of office in a conspicuous
845 place when making an arrest.

846 Sec. 34. Subsection (c) of section 14-65 of the general statutes, as
847 amended by section 16 of public act 99-268, is repealed and the
848 following is substituted in lieu thereof:

849 (c) The provisions of this section shall not apply to a sale by a
850 [sheriff or such sheriff's deputy] licensed process server or to a private
851 auction sale of motor vehicles, used by the seller, who is not a used car
852 dealer as defined in section 14-51, in the operation of his business or
853 for his personal use.

854 Sec. 35. Section 14-151 of the general statutes is repealed and the
855 following is substituted in lieu thereof:

856 [The sheriffs of the several counties and their deputies] Licensed
857 process servers and the constables of the several towns shall have,

858 within their respective [counties and] towns, the same authority in
859 respect to the provisions of section 14-150 as inspectors of the
860 Department of Motor Vehicles, officers attached to an organized police
861 department or state police officers.

862 Sec. 36. Section 14-225 of the general statutes is repealed and the
863 following is substituted in lieu thereof:

864 Any person riding on, propelling, driving or directing any vehicle,
865 except a motor vehicle, on a public street or highway or on any
866 parking area for ten cars or more or on any school property, who has
867 knowledge of having caused injury to the person or property of
868 another and neglects, at the time of the injury, to stop and ascertain the
869 extent of the injury and to render assistance, or refuses to give his
870 name and address, or gives a false name or address when the same is
871 asked for by the person injured or by any other person in his behalf or
872 by a police officer, [sheriff, deputy sheriff] licensed process server,
873 motor vehicle inspector or constable, shall be fined not more than five
874 hundred dollars or imprisoned not more than six months or both.

875 Sec. 37. Section 18-28 of the general statutes is repealed and the
876 following is substituted in lieu thereof:

877 Said board shall have all the authority of the Superior Court to
878 compel the attendance of witnesses summoned by the secretary of said
879 board or other competent authority. [The sheriff of Hartford County or
880 his deputy] A court security officer shall attend the sessions of said
881 board and shall receive therefor the fees provided for [the sheriff's]
882 attendance upon sessions of the Superior Court.

883 Sec. 38. Subsection (a) of section 22a-250a of the general statutes is
884 repealed and the following is substituted in lieu thereof:

885 (a) When any vehicle used as a means of disposing of hazardous
886 waste without a permit required under the federal Resource
887 Conservation and Recovery Act of 1976, or as a means of committing a

888 violation of any of the provisions of section 22a-208a, section 22a-208c,
889 subsection (c) or (d) of section 22a-250 or section 22a-252, has been
890 seized as a result of a lawful arrest or lawful search, pursuant to a
891 criminal search and seizure warrant issued under authority of section
892 54-33c, which the state claims to be a nuisance and desires to have
893 destroyed or disposed of in accordance with the provisions of this
894 section, the judge or court issuing any such warrant or before whom
895 the arrested person is to be arraigned shall, within ten days after such
896 seizure, cause to be left with the owner of, and with any person
897 claiming of record a bona fide mortgage, assignment of lease or rent,
898 lien or security interest in, the vehicle so seized, or at his usual place of
899 abode, if he is known, or, if unknown, at the place where the vehicle
900 was seized, a summons notifying the owner and any such other person
901 claiming such interest and all others to whom it may concern to appear
902 before such judge or court, at a place and time specified in such notice,
903 which shall be not less than six nor more than twelve days after the
904 service thereof. Such summons may be signed by a clerk of the court or
905 his assistant and service may be made by a local or state police officer,
906 [sheriff, deputy sheriff] licensed process server, constable or other
907 person designated by the Commissioner of Environmental Protection.
908 It shall describe such vehicle with reasonable certainty and state when
909 and where and why the same was seized.

910 Sec. 39. Subsection (a) of section 27-189 of the general statutes is
911 repealed and the following is substituted in lieu thereof:

912 (a) Any person not subject to this code who: (1) Has been duly
913 subpoenaed to appear as a witness or to produce books and records
914 before a military court or before any military or civil officer designated
915 to take a deposition to be read in evidence before such a court; (2) has
916 been duly paid or tendered the fees and mileage of a witness at the
917 rates allowed to witnesses attending the civil courts of the state; and
918 (3) refuses to appear and testify or refuses to produce any evidence
919 which that person has been duly subpoenaed to produce, may be, by
920 warrant signed by the military judge, by the president of the court-

921 martial, if a special court-martial to which no military judge has been
922 detailed, or by the summary court officer and directed to [the sheriff of
923 the county, his deputy] a licensed process server or any constable of
924 the town in which such witness resides, committed to a community
925 correctional center, there to be held at his own expense until
926 discharged by due course of law.

927 Sec. 40. Section 29-18a of the general statutes is repealed and the
928 following is substituted in lieu thereof:

929 The Commissioner of Public Safety may appoint one or more
930 persons to act as special policemen in the Department of Public Safety,
931 for the purpose of investigating public assistance fraud relating to the
932 beneficiaries of public assistance in this state. Such appointees, having
933 been sworn, shall serve at the pleasure of the Commissioner of Public
934 Safety and, during such tenure, shall have all the powers conferred on
935 state policemen [, sheriffs and their deputies] and licensed process
936 servers. They shall, in addition to their duties concerning public
937 assistance cases, be subject to the call of the Commissioner of Public
938 Safety for such emergency service as he may prescribe.

939 Sec. 41. Section 30-45 of the general statutes is repealed and the
940 following is substituted in lieu thereof:

941 The Department of Consumer Protection shall refuse permits for the
942 sale of alcoholic liquor to the following persons: (1) Any [sheriff,
943 deputy sheriff] licensed process server, judge of any court, prosecuting
944 officer or member of any police force, (2) any first selectman holding
945 office and acting as a chief of police in the town within which the
946 permit premises are to be located, (3) a minor, and (4) any constable
947 who performs criminal law enforcement duties and is considered a
948 peace officer by town ordinance pursuant to the provisions of
949 subsection (a) of section 54-1f, any constable who is certified under the
950 provisions of sections 7-294a to 7-294e, inclusive, who performs
951 criminal law enforcement duties pursuant to the provisions of
952 subsection (c) of section 54-1f, or any special constable appointed

953 pursuant to section 7-92. This section shall not apply to out-of-state
954 shippers', boat and airline permits. As used in this section, "minor"
955 means a minor as defined in section 1-1d or as defined in section 30-1,
956 whichever age is older.

957 Sec. 42. Section 30-106 of the general statutes is repealed and the
958 following is substituted in lieu thereof:

959 Every officer who has a warrant for the arrest of any person charged
960 with keeping a house of ill-fame, or a house reputed to be a house of
961 ill-fame, or a house of assignation or a house where lewd, dissolute or
962 drunken persons resort, or where drinking, carousing, dancing and
963 fighting are permitted, to the disturbance of the neighbors, or with
964 violating any law against gaming in the house or rooms occupied by
965 him, or with resorting to any house for any of said purposes, and every
966 officer who has a warrant for the arrest of any person charged with
967 keeping open any room, place, enclosure, building or structure, of any
968 kind or description, in which it is reputed that alcoholic liquor is
969 exposed for sale contrary to law, or with selling alcoholic liquor, in any
970 place contrary to law, or for the seizure of alcoholic liquor, may, at any
971 time, for the purpose of gaining admission to such house, room, place,
972 enclosure, building or structure, or for the purpose of arresting any of
973 the persons aforesaid, make violent entry into such house, room, place,
974 enclosure, building or structure, or any part thereof, after demanding
975 admittance and giving notice that he is an officer and has such
976 warrant, and may arrest any person so charged and take him before
977 the proper authority. The Department of Consumer Protection, its
978 agents [, the sheriff of the county, and any deputy sheriff by him
979 specially authorized,] and any member of any organized police
980 department in any town, city or borough, and any state policeman,
981 may, at any time, enter upon the premises of any permittee to ascertain
982 the manner in which such person conducts his business and to
983 preserve order.

984 Sec. 43. Subsection (c) of section 38a-18 of the general statutes is

985 repealed and the following is substituted in lieu thereof:

986 (c) Whenever the commissioner makes any seizure as provided in
987 subsection (b) of this section, [the sheriff of the county in which the
988 principal office of the company is located,] the chief of police for the
989 town or municipality in which the principal office of the company is
990 located, and the Commissioner of Public Safety, shall, on demand of
991 the commissioner, furnish him with such [deputies,] patrolmen,
992 troopers or officers as may be necessary in enforcing or effecting any
993 such seizure. Not more than fifteen days after making any seizure, the
994 commissioner shall institute a proceeding under subsection (a) of this
995 section, returnable not less than twelve or more than thirty days after
996 the service thereof.

997 Sec. 44. Subsection (a) of section 45a-649 of the general statutes is
998 repealed and the following is substituted in lieu thereof:

999 (a) Upon an application for involuntary representation, the court
1000 shall issue a citation to the following enumerated parties to appear
1001 before it at a time and place named in the citation, which shall be
1002 served on the parties at least seven days before the hearing date, which
1003 date shall not be more than thirty days after the receipt of the
1004 application by the Court of Probate unless continued for cause shown.
1005 Notice of the hearing shall be sent within thirty days after receipt of
1006 the application. (1) The court shall direct that personal service be
1007 made, by a [sheriff or his deputy] licensed process server, constable or
1008 an indifferent person, upon the following: (A) The respondent, except
1009 that if the court finds personal service on the respondent would be
1010 detrimental to the health or welfare of the respondent, the court may
1011 order that such service be made upon counsel for the respondent, if
1012 any, and if none, upon the attorney appointed under subsection (b) of
1013 this section; (B) the respondent's spouse, if any, if the spouse is not the
1014 applicant, except that in cases where the application is for involuntary
1015 representation pursuant to section 17b-456, and there is no spouse, the
1016 court shall order notice by certified mail to the children of the

1017 respondent and if none, the parents of the respondent and if none, the
1018 brothers and sisters of the respondent or their representatives, and if
1019 none, the next of kin of such respondent. (2) The court shall order such
1020 notice as it directs to the following: (A) The applicant; (B) the person in
1021 charge of welfare in the town where the respondent is domiciled or
1022 resident and if there is no such person, the first selectman or chief
1023 executive officer of the town if the respondent is receiving assistance
1024 from the town; (C) the Commissioner of Social Services, if the
1025 respondent is in a state-operated institution or receiving aid, care or
1026 assistance from the state; (D) by registered or certified mail, to the
1027 Administrator of Veterans Affairs if the respondent is receiving
1028 veterans' benefits or the Veterans Home and Hospital, or both, if the
1029 respondent is receiving aid or care from such hospital, or both; (E) the
1030 Commissioner of Administrative Services, if the respondent is
1031 receiving aid or care from the state; (F) the children of the respondent
1032 and if none, the parents of the respondent and if none, the brothers
1033 and sisters of the respondent or their representatives; (G) the person in
1034 charge of the hospital, nursing home or some other institution, if the
1035 respondent is in a hospital, nursing home or some other institution. (3)
1036 The court, in its discretion, may order such notice as it directs to other
1037 persons having an interest in the respondent and to such persons the
1038 respondent requests be notified.

1039 Sec. 45. Subsection (a) of section 45a-671 of the general statutes is
1040 repealed and the following is substituted in lieu thereof:

1041 (a) Within forty-five days of filing such application in the Court of
1042 Probate, such court shall assign a time and place for hearing such
1043 application. Notwithstanding the provisions of section 45a-7, the court
1044 may hold the hearing on said application at a place within the state
1045 other than its usual courtroom if it would facilitate the presence of the
1046 respondent. Such court shall cause a citation and notice to be served
1047 upon the respondent by personal service made by a [sheriff or his
1048 deputy] licensed process server, constable or an indifferent person not
1049 less than seven days prior to such hearing date.

1050 Sec. 46. Section 45a-693 of the general statutes is repealed and the
1051 following is substituted in lieu thereof:

1052 Upon such application for a determination of ability to give
1053 informed consent, such court shall assign a time, not later than thirty
1054 days thereafter, and a place for hearing such application. Any hearing
1055 held under this section shall be pursuant to sections 51-72 and 51-73.
1056 Notwithstanding the provisions of section 45a-7, the court may hold
1057 the hearing on said application at a place within the state other than
1058 the usual courtroom if it would facilitate the presence of the
1059 respondent. Such court shall cause a citation and notice to be served on
1060 the following parties at least seven days prior to such hearing date. (1)
1061 The court shall direct personal service be made by a [sheriff or his
1062 deputy] licensed process server, constable or indifferent person upon
1063 the respondent and if the respondent is in the hospital, nursing home,
1064 state school or some other institution, in addition to the respondent,
1065 upon the chief executive, officer or administrator in such hospital,
1066 nursing home, state school or other institution. (2) The court shall
1067 order such notice as it directs to the following: (A) The parents of the
1068 respondent, if any, (B) the spouse of the respondent, if any, (C) the
1069 siblings of such applicant, if any, if the respondent has no living
1070 parents, (D) the office of protection and advocacy, and (E) such other
1071 persons as the court may determine have interest in the respondent.

1072 Sec. 47. Subsection (b) of section 46b-125 of the general statutes is
1073 repealed and the following is substituted in lieu thereof:

1074 (b) Probation officers shall make such investigations and reports as
1075 the court directs or the law requires. They shall execute the orders of
1076 the court; and, for that purpose, such probation officers, and any other
1077 employees specifically designated by the court to assist the probation
1078 officers in the enforcement of such orders, shall have the authority of a
1079 [deputy sheriff in each county of the state] licensed process server.
1080 They shall preserve a record of all cases investigated or coming under
1081 their care, and shall keep informed concerning the conduct and

1082 condition of each person under supervision and report thereon to the
1083 court as it may direct. Any juvenile probation officer or juvenile
1084 matters investigator, authorized by the Office of the Chief Court
1085 Administrator, may arrest any juvenile on probation without a warrant
1086 or may deputize any other officer with power to arrest to do so by
1087 giving him a written statement setting forth that the juvenile has, in the
1088 judgment of the juvenile probation officer or juvenile matters
1089 investigator, violated the conditions of his probation. When executing
1090 such orders of the court, except when using deadly physical force,
1091 juvenile probation officers and juvenile matters investigators shall be
1092 deemed to be acting in the capacity of a peace officer, as defined in
1093 subdivision (9) of section 53a-3.

1094 Sec. 48. Subsections (a) and (b) of section 47a-42 of the general
1095 statutes are repealed and the following is substituted in lieu thereof:

1096 (a) Whenever a judgment is entered against a defendant pursuant to
1097 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
1098 possession or occupancy of residential property, such defendant and
1099 any other occupant bound by the judgment by subsection (a) of section
1100 47a-26h shall forthwith remove himself, his possessions and all
1101 personal effects unless execution has been stayed pursuant to sections
1102 47a-35 to 47a-41, inclusive. If execution has been stayed, such
1103 defendant or occupant shall forthwith remove himself, his possessions
1104 and all personal effects upon the expiration of any stay of execution. If
1105 the defendant or occupant has not so removed himself upon entry of a
1106 judgment pursuant to section 47a-26, 47a-26a, 47a-26b or 47a-26d, and
1107 upon expiration of any stay of execution, the plaintiff may obtain an
1108 execution upon such summary process judgment, and the defendant
1109 or other occupant bound by the judgment by subsection (a) of section
1110 47a-26h and the possessions and personal effects of such defendant or
1111 other occupant may be removed by a [sheriff or his deputy] licensed
1112 process server, pursuant to such execution, and such possessions and
1113 personal effects may be set out on the adjacent sidewalk, street or
1114 highway.

1115 (b) Before any such removal, the [sheriff or deputy] licensed process
1116 server charged with executing upon any such judgment of eviction
1117 shall give the chief executive officer of the town twenty-four hours
1118 notice of the eviction, stating the date, time and location of such
1119 eviction as well as a general description, if known, of the types and
1120 amount of property to be removed from the premises. Before giving
1121 such notice to the chief executive officer of the town, the [sheriff or
1122 deputy] licensed process server shall use reasonable efforts to locate
1123 and notify the defendant of the date and time such eviction is to take
1124 place and of the possibility of a sale pursuant to subsection (c) of this
1125 section. Such notice shall include service upon each defendant and
1126 upon any other person in occupancy, either personally or at the
1127 premises, of a true copy of the summary process execution. Such
1128 execution shall be on a form prescribed by the Judicial Department,
1129 shall be in clear and simple language and in readable format, and shall
1130 contain, in addition to other notices given to the defendant in the
1131 execution, a conspicuous notice, in large boldface type, that a person
1132 who claims to have a right to continue to occupy the premises should
1133 immediately contact an attorney.

1134 Sec. 49. Section 48-23 of the general statutes is repealed and the
1135 following is substituted in lieu thereof:

1136 When, under the provisions of any statute authorizing the
1137 condemnation of land in the exercise of the right of eminent domain,
1138 an appraisal of damages has been returned to the clerk of the Superior
1139 Court, as provided by law, and when the amount of appraisal has been
1140 paid or secured to be paid or deposited with the State Treasurer, as
1141 provided by law, any judge of the Superior Court may, upon
1142 application and proof of such payment or deposit, order such clerk to
1143 issue an execution commanding [the sheriff of the county] a licensed
1144 process server to put the parties entitled thereto into peaceable
1145 possession of the land so condemned.

1146 Sec. 50. Subsection (b) of section 49-22 of the general statutes is

1147 repealed and the following is substituted in lieu thereof:

1148 (b) Before any such removal, the [sheriff or deputy] licensed process
1149 server charged with executing upon the ejectment shall give the chief
1150 executive officer of the town twenty-four hours notice of the ejectment,
1151 stating the date, time and location of such ejectment as well as a
1152 general description, if known, of the types and amount of property to
1153 be removed from the land. Before giving such notice to the chief
1154 executive officer of the town, the sheriff or deputy shall use reasonable
1155 efforts to locate and notify the person or persons in possession of the
1156 date and time such ejectment is to take place and of the possibility of a
1157 sale pursuant to subsection (c) of this section.

1158 Sec. 51. Subsection (b) of section 49-35a of the general statutes is
1159 repealed and the following is substituted in lieu thereof:

1160 (b) The application, order and summons shall be substantially in the
1161 following form:

1162

1163 APPLICATION FOR DISCHARGE OR

1164 REDUCTION OF MECHANIC'S LIEN

1165 To the Court of

1166 The undersigned represents:

1167 1. That is the owner of the real estate described in Schedule A
1168 attached hereto.

1169 2. That the names and addresses of all other owners of record of
1170 such real estate are as follows:

1171 3. That on or about ..., (date) ..., (name of lienor) of (address of
1172 lienor) placed a mechanic's lien on such real estate and gave notice
1173 thereof.

1174 4. That there is not probable cause to sustain the validity of such lien
1175 (or: That such lien is excessive).

1176 5. That the applicant seeks an order for discharge (or reduction) of
1177 such lien.

1178

1179	Name of Applicant
------	-------------------

1180 By

1181 His Attorney

1182

1183 ORDER

1184 The above application having been presented to the court, it is
1185 hereby ordered, that a hearing be held thereon at a.m. and that the
1186 applicant give notice to the following persons: (Names and addresses
1187 of persons entitled to notice) of the pendency of said application and of
1188 the time when it will be heard by causing a true and attested copy of
1189 the application, and of this order to be served upon such persons by
1190 some proper officer or indifferent person on or before and that due
1191 return of such notice be made to this court.

1192 Dated at this day of 19...

1193

1194 SUMMONS

1195 To the [sheriff of the county of ..., his deputy] licensed process
1196 server, or either constable of the town of ..., in said county,

1197 Greeting:

1198 By authority of the state of Connecticut, you are hereby commanded

1199 to serve a true and attested copy of the above application and order
1200 upon ..., of ... by leaving the same in his hands or at his usual place of
1201 abode (or such other notice as ordered by the court) on or before

1202 Hereof fail not but due service and return make.

1203 Dated at this day of 19...

1204

1205

1206 Commissioner of the Superior Court

1207 (1) The clerk upon receipt of all the documents in duplicate, if he
1208 finds them to be in proper form, shall fix a date for a hearing on the
1209 application and sign the order of hearing and notice. An entry fee of
1210 twenty dollars shall then be collected and a copy of the original
1211 document shall be placed in the court file.

1212 (2) The clerk shall deliver to the applicant's attorney the original of
1213 the documents for service. Service having been made, the original
1214 documents shall be returned to the court with the endorsement by the
1215 officer of his doings.

1216 Sec. 52. Section 50-1 of the general statutes is repealed and the
1217 following is substituted in lieu thereof:

1218 All goods of a perishable nature left with any person, when the
1219 owner is unknown or when the owner neglects to take them away after
1220 reasonable notice, shall be advertised at least one week in a newspaper
1221 published in the county where they were left; and, if not then claimed
1222 and taken away, may be sold at public auction, under the inspection of
1223 [the sheriff or a deputy sheriff of such county] a licensed process
1224 server, and the proceeds of the sale, after deducting the expenses
1225 thereof and the charges for which they may be liable, shall be
1226 deposited with the treasurer of the town where they were left, who

1227 shall hold the same, subject to the provisions of part III of chapter 32.

1228 Sec. 53. Subsection (a) of section 51-30 of the general statutes is
1229 repealed and the following is substituted in lieu thereof:

1230 (a) The Superior Court or family support magistrate, when
1231 transacting business, shall be attended by [the sheriff of the county in
1232 which the court is held or by such of his deputies or special deputies,]
1233 such court security personnel or by such constables, [as the sheriff may
1234 authorize,] and by such messengers as the Chief Court Administrator
1235 or his designee may authorize.

1236 Sec. 54. Section 51-89 of the general statutes is repealed and the
1237 following is substituted in lieu thereof:

1238 No [sheriff, deputy sheriff] licensed process server or constable shall
1239 appear in court as attorney.

1240 Sec. 55. Section 51-206 of the general statutes is repealed and the
1241 following is substituted in lieu thereof:

1242 An adjournment of any term or session of the Supreme Court may
1243 be made, at any time when no judge of the court is present, [by the
1244 sheriff of Hartford County, or by his deputy,] upon a written order
1245 from the Chief Justice of said court or, in his absence or inability to act,
1246 from the senior associate judge of said court, directing such
1247 adjournment and the time to which it shall be made; but, when any
1248 judge or judges of said court are present, such judge or judges may
1249 make such adjournment; provided any adjournment made upon such
1250 written order or by any judge or judges less than a quorum shall not be
1251 made to a time beyond one month from the day of adjournment.

1252 Sec. 56. Section 51-246 of the general statutes is repealed and the
1253 following is substituted in lieu thereof:

1254 In the trial of any capital case or any case involving imprisonment
1255 for life, the court may, in its discretion, require the jury to remain

1256 together in the charge of [the sheriff] a court security officer during the
1257 trial and until the jury is discharged by the court from further
1258 consideration of the case.

1259 Sec. 57. Subsection (a) of section 52-50 of the general statutes is
1260 repealed and the following is substituted in lieu thereof:

1261 (a) All process shall be directed to a [sheriff, his deputy] licensed
1262 process server, a constable or other proper officer authorized by
1263 statute, or, subject to the provisions of subsection (b) of this section, to
1264 an indifferent person. A direction on the process "to any proper officer"
1265 shall be sufficient to direct the process to a [sheriff, deputy sheriff]
1266 licensed process server, constable or other proper officer.

1267 Sec. 58. Section 52-127 of the general statutes is repealed and the
1268 following is substituted in lieu thereof:

1269 Any process or complaint drawn or filled out by a [sheriff, deputy
1270 sheriff] licensed process server or constable, except in his own cause,
1271 shall abate; but process shall not abate on account of any alteration
1272 between the time of signing and of serving it.

1273 Sec. 59. Subsection (b) of section 52-278c of the general statutes is
1274 repealed and the following is substituted in lieu thereof:

1275 (b) The application, order and summons shall be substantially in the
1276 form following:

1277

1278 APPLICATION FOR PREJUDGMENT REMEDY

1279 To the Superior Court for the judicial district of

1280 The undersigned represents:

1281 1. That is about to commence an action against of (give
1282 name and address of defendant) pursuant to the attached proposed

1283 unsigned Writ, Summons, Complaint and Affidavit.

1284 2. That there is probable cause that a judgment in the amount of the
1285 prejudgment remedy sought, or in an amount greater than the amount
1286 of the prejudgment remedy sought, taking into account any known
1287 defenses, counterclaims or set-offs, will be rendered in the matter in
1288 favor of the applicant and that to secure the judgment the applicant
1289 seeks an order from this court directing that the following
1290 prejudgment remedy be granted to secure the sum of \$:

1291 a. To attach sufficient property of the defendant to secure such sum:

1292 b. To garnishee, as he is the agent, trustee, debtor of the
1293 defendant and has concealed in his possession property of the
1294 defendant and is indebted to him.

1295 c. (Other Type of Prejudgment Remedy Requested.)

1296 Name of Applicant

1297 By

1298 His Attorney

1299 ORDER

1300 The above application having been presented to the court, it is
1301 hereby ordered, that a hearing be held thereon on at a.m. and
1302 that the plaintiff give notice to the defendant in accordance with
1303 section 52-278c of the general statutes of the pendency of the
1304 application and of the time when it will be heard by causing a true and
1305 attested copy of the application, the proposed unsigned writ,
1306 summons, complaint, affidavit and of this order, together with such
1307 notice as is required under subsection (e) of section 52-278c, to be
1308 served upon the defendant by some proper officer or indifferent
1309 person on or before, and that due return of service be made to this
1310 court.

1311 Dated at Hartford this day of, 19 ...

1312 Clerk of the Court

1313

1314 SUMMONS

1315 To [the sheriff of the county of, his deputy,] a licensed process
1316 server or either constable of the town of, [in said county,]

1317 Greeting:

1318 By authority of the state of Connecticut, you are hereby commanded
1319 to serve a true and attested copy of the above application, unsigned
1320 proposed writ, summons, complaint, affidavit and order upon, of
1321, by leaving the same in his hands or at his usual place of abode on
1322 or before

1323 Hereof fail not but due service and return make.

1324 Dated at this day of 19...

1325 Commissioner of the Superior Court

1326 Sec. 60. Section 52-293 of the general statutes is repealed and the
1327 following is substituted in lieu thereof:

1328 When any livestock, or other personal property in its nature
1329 perishable or liable to depreciation, or the custody and proper
1330 preservation of which would be difficult or expensive, is attached,
1331 either party to the suit may apply to any judge of the court to which
1332 such process is returnable for an order to sell the same, and thereupon,
1333 after such reasonable notice to the adverse party as such judge directs,
1334 and upon satisfactory proof that such sale is necessary and proper, and
1335 payment of his fees by the party making such application, he may
1336 order such property to be sold by the officer who attached the same,
1337 or, in case of his inability, by [the sheriff of the county, or by any of his

1338 deputies] a licensed process server, or any indifferent person requested
1339 in writing to do so by such attaching officer, at public auction, at such
1340 time and place, and upon such notice, as such judge deems reasonable;
1341 and he may, at his discretion, order the officer making such sale to
1342 deposit the avails with the clerk of such court.

1343 Sec. 61. Subsection (b) of section 52-325a of the general statutes is
1344 repealed and the following is substituted in lieu thereof:

1345 (b) The application, order and summons shall be substantially in the
1346 following form:

1347

1348 APPLICATION FOR DISCHARGE OF

1349 NOTICE OF LIS PENDENS

1350

1351 To the Court of

1352 The undersigned represent(s):

1353 1. That is the owner of the real property described in schedule A
1354 attached hereto;

1355 2. That on or about (date) (name of plaintiff) of (address of
1356 plaintiff) recorded a notice of lis pendens affecting such real property
1357 and gave notice thereof;

1358 3. That there is not probable cause to sustain the validity of the
1359 plaintiff's claim or, in an action that alleges an illegal, invalid or
1360 defective transfer of an interest in real property, that the initial illegal,
1361 invalid or defective transfer of an interest in real property occurred
1362 sixty years or more prior to the commencement of the action;

1363 4. That the applicant seeks an order for discharge of such recorded

1364 notice of lis pendens.

1365

1366 (Name of Applicant)

1367 By:

1368 His Attorney

1369

1370 ORDER

1371 The above application having been presented to the court, it is
1372 hereby ordered that a hearing be held thereon at (time) on (date)
1373 and that the applicant give notice to the following persons: (Names
1374 and addresses of persons entitled to notice) of the pendency of said
1375 application and of the time when it will be heard by causing a true and
1376 attested copy of the application and of this order to be served upon
1377 such persons by some proper officer or indifferent person on or before
1378 and that due return of such notice be made to this court.

1379 Dated at this day of, 19...

1380

1381 (Clerk of the Court)

1382

1383 SUMMONS

1384 To [the sheriff of the county of, his deputy] a licensed process
1385 server or either constable of the town of, [in said county,]

1386 Greeting:

1387 By authority of the state of Connecticut, you are hereby commanded

1388 to serve a true and attested copy of the above application and order
1389 upon ..., of ... by leaving the same in his hands or at his usual place of
1390 abode (or such other notice as ordered by the court) on or before

1391 Hereof fail not but due service and return make.

1392 Dated at this day of 19...

1393

1394 (Commissioner of the Superior Court)

1395 (1) The clerk upon receipt of all such documents in duplicate, if he
1396 finds them to be in proper form, shall fix a date for a hearing on the
1397 application and sign the order of hearing and notice. A copy of the
1398 original document shall be placed in the court file.

1399 (2) The clerk shall deliver to the applicant's attorney the original of
1400 such documents for service. Service having been made, such original
1401 documents shall be returned to such court with the endorsement by
1402 the officer of his actions.

1403 Sec. 62. Subdivision (12) of section 52-350a of the general statutes is
1404 repealed and the following is substituted in lieu thereof:

1405 (12) "Levying officer" means a [sheriff, deputy sheriff] licensed
1406 process server or constable acting within his geographical jurisdiction
1407 or in IV-D cases, any investigator employed by the Commissioner of
1408 Social Services.

1409 Sec. 63. Subsection (d) of section 52-434 of the general statutes is
1410 repealed and the following is substituted in lieu thereof:

1411 (d) Each judge trial referee may have the attendance of a [sheriff or
1412 deputy sheriff] court security officer at any hearing before him. The
1413 [sheriff or deputy sheriff] court security officer shall receive the same
1414 compensation provided for attendance at regular sessions of the court
1415 from which the case was referred and such compensation shall be

1416 taxed by the state referee in the same manner as similar costs are taxed
1417 by the judges of the court.

1418 Sec. 64. Section 53-164 of the general statutes is repealed and the
1419 following is substituted in lieu thereof:

1420 Any person who aids or abets any inmate in escaping from Long
1421 Lane School, the Connecticut School for Boys* or The Southbury
1422 Training School or who knowingly harbors any such inmate, or aids in
1423 abducting any such inmate who has been paroled from the person or
1424 persons to whose care and service such inmate has been legally
1425 committed, shall be fined not more than five hundred dollars or
1426 imprisoned not more than three months or both. Any [sheriff, deputy
1427 sheriff,] constable or officer of state or local police, and any officer or
1428 employee of any of said institutions, is authorized and directed to
1429 arrest any person who has escaped therefrom and return him thereto.

1430 Sec. 65. Section 53-264 of the general statutes is repealed and the
1431 following is substituted in lieu thereof:

1432 Each attorney, [sheriff, deputy sheriff] licensed process server or
1433 constable, who, with intent to make gain by the fees of collection,
1434 purchases and sues upon any choses in action, shall be fined not more
1435 than one hundred dollars.

1436 Sec. 66. Subdivision (9) of section 53-278a of the general statutes is
1437 repealed and the following is substituted in lieu thereof:

1438 (9) "Peace officer" means a municipal or state police officer, [sheriff,
1439 deputy sheriff] a licensed process server while exercising authority
1440 granted under any provision of the general statutes, or chief inspector
1441 or inspector in the Division of Criminal Justice.

1442 Sec. 67. Subdivision (9) of section 53a-3 of the general statutes is
1443 repealed and the following is substituted in lieu thereof:

1444 (9) "Peace officer" means a member of the Division of State Police

1445 within the Department of Public Safety or an organized local police
1446 department, a chief inspector or inspector in the Division of Criminal
1447 Justice, a [sheriff, deputy sheriff or special deputy sheriff] licensed
1448 process server while exercising authority granted under any provision
1449 of the general statutes, a conservation officer or special conservation
1450 officer, as defined in section 26-5, a constable who performs criminal
1451 law enforcement duties, a special policeman appointed under section
1452 29-18, 29-18a or 29-19, an adult probation officer, appointed under
1453 section 54-104, an official of the Department of Correction authorized
1454 by the Commissioner of Correction to make arrests in a correctional
1455 institution or facility, any investigator in the investigations unit of the
1456 Office of the State Treasurer or any special agent of the federal
1457 government authorized to enforce the provisions of Title 21 of the
1458 United States Code.

1459 Sec. 68. Section 53a-54b of the general statutes is repealed and the
1460 following is substituted in lieu thereof:

1461 A person is guilty of a capital felony who is convicted of any of the
1462 following: (1) Murder of a member of the Division of State Police
1463 within the Department of Public Safety or of any local police
1464 department, a chief inspector or inspector in the Division of Criminal
1465 Justice, a [sheriff or deputy sheriff] licensed process server while such
1466 server is exercising authority granted under any provision of the
1467 general statutes, a constable who performs criminal law enforcement
1468 duties, a special policeman appointed under section 29-18, an
1469 employee of the Department of Correction or a person providing
1470 services on behalf of said department when such employee or person
1471 is acting within the scope of his employment or duties in a correctional
1472 institution or facility and the actor is confined in such institution or
1473 facility, or any fireman, while such victim was acting within the scope
1474 of his duties; (2) murder committed by a defendant who is hired to
1475 commit the same for pecuniary gain or murder committed by one who
1476 is hired by the defendant to commit the same for pecuniary gain; (3)
1477 murder committed by one who has previously been convicted of

1478 intentional murder or of murder committed in the course of
1479 commission of a felony; (4) murder committed by one who was, at the
1480 time of commission of the murder, under sentence of life
1481 imprisonment; (5) murder by a kidnapper of a kidnapped person
1482 during the course of the kidnapping or before such person is able to
1483 return or be returned to safety; (6) the illegal sale, for economic gain, of
1484 cocaine, heroin or methadone to a person who dies as a direct result of
1485 the use by him of such cocaine, heroin or methadone; (7) murder
1486 committed in the course of the commission of sexual assault in the first
1487 degree; (8) murder of two or more persons at the same time or in the
1488 course of a single transaction; or (9) murder of a person under sixteen
1489 years of age.

1490 Sec. 69. Subsection (c) of section 54-1f of the general statutes is
1491 repealed and the following is substituted in lieu thereof:

1492 (c) Members of any local police department or the Office of State
1493 Capitol Police, [sheriffs, deputy sheriffs, special deputy sheriffs] and
1494 constables who are certified under the provisions of sections 7-294a to
1495 7-294e, inclusive, and who perform criminal law enforcement duties,
1496 when in immediate pursuit of one who may be arrested under the
1497 provisions of this section, are authorized to pursue the offender
1498 outside of their respective precincts into any part of the state in order
1499 to effect the arrest. Such person may then be returned in the custody of
1500 such officer to the precinct in which the offense was committed.

1501 Sec. 70. Section 54-98 of the general statutes is repealed and the
1502 following is substituted in lieu thereof:

1503 [Sheriffs] The Department of Correction shall execute each mittimus
1504 for the commitment of convicts to the Connecticut Correctional
1505 Institution, Somers, by delivering such convicts to the warden of said
1506 institution or his agent at said institution. [and such sheriffs shall
1507 receive for such transportation, for each prisoner, twenty-five cents per
1508 mile from the community correctional center in which such prisoner is
1509 confined to the Connecticut Correctional Institution, Somers, to be

1510 taxed and paid as other expenses in criminal cases.]

1511 Sec. 71. Section 54-101 of the general statutes is repealed and the
1512 following is substituted in lieu thereof:

1513 When any person detained at the Connecticut Correctional
1514 Institution, Somers, awaiting execution of a sentence of death appears
1515 to the warden thereof to be insane, the warden may make application
1516 to the superior court for the judicial district of Tolland having either
1517 civil or criminal jurisdiction or, if said court is not in session, to any
1518 judge of the Superior Court, and, after hearing upon such application,
1519 notice thereof having been given to the state's attorney for the judicial
1520 district wherein such person was convicted, said court or such judge
1521 may, if it appears advisable, appoint three reputable physicians to
1522 examine as to the mental condition of the person so committed. Upon
1523 return to said court or such judge of a certificate by such physicians, or
1524 a majority of them, stating that such person is insane, said court or
1525 such judge shall order the sentence of execution to be stayed and such
1526 person to be transferred to any state hospital for mental illness for
1527 confinement, support and treatment until he recovers his sanity, and
1528 shall cause a mittimus to be issued to the [sheriff of Tolland County, or
1529 either of his deputies,] Department of Correction for such
1530 commitment. If, at any time thereafter, the superintendent of the state
1531 hospital to which such person has been committed is of the opinion
1532 that he has recovered his sanity, he shall so report to the state's
1533 attorney for the judicial district wherein the conviction was had and
1534 such attorney shall thereupon make application to the superior court
1535 for such judicial district having criminal jurisdiction, for the issuance
1536 of a warrant of execution for such sentence, and, if said court finds that
1537 such person has recovered his sanity, it shall cause a mittimus to be
1538 issued for his return to the Connecticut Correctional Institution,
1539 Somers, there to be received and kept until a day designated in the
1540 mittimus for the infliction of the death penalty, and thereupon said
1541 penalty shall be inflicted, in accordance with the provisions of the
1542 statutes.

1543 Sec. 72. Section 53-164 of the general statutes, as amended by section
1544 24 of public act 99-26, is repealed and the following is substituted in
1545 lieu thereof:

1546 Any person who aids or abets any inmate in escaping from the
1547 Connecticut Juvenile Training School or The Southbury Training
1548 School or who knowingly harbors any such inmate, or aids in
1549 abducting any such inmate who has been paroled from the person or
1550 persons to whose care and service such inmate has been legally
1551 committed, shall be fined not more than five hundred dollars or
1552 imprisoned not more than three months or both. Any [sheriff, deputy
1553 sheriff,] constable or officer of state or local police, and any officer or
1554 employee of any of said institutions, is authorized and directed to
1555 arrest any person who has escaped therefrom and return him thereto.

1556 Sec. 73. Sections 5-187, 6-30, 6-31, 6-32a, 6-32b, 6-32e to 6-34,
1557 inclusive, 6-36, 6-38, 6-40, 6-41, 6-44, 6-45, 6-46 and 6-48 of the general
1558 statutes are repealed.

1559 Sec. 74. This act shall take effect October 1, 2000, except that section
1560 82 shall take effect upon the filing with the Governor and the General
1561 Assembly of written certification by the Commissioner of Children and
1562 Families that the new Connecticut Juvenile Training School is
1563 operational.

Statement of Purpose:

To reform the sheriff system.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]